United Nations A/C.4/58/L.18

General Assembly

Distr.: Limited
4 November 2003

Original: English

Fifty-eighth session
Special Political and Decolonization Committee (Fourth Committee)
Agenda item 84
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Algeria, Bahrain, Bangladesh, Brunei Darussalam, Cuba, Djibouti, Egypt, Indonesia, Jordan, Kuwait, Malaysia, Morocco, Oman, Qatar, Saudi Arabia, Senegal, Somalia, Sudan, Tunisia, United Arab Emirates, Yemen and Palestine: draft resolution

Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories

The General Assembly,

Recalling its relevant resolutions,

Bearing in mind the relevant resolutions of the Security Council,

Recalling the regulations annexed to the Hague Convention of 1907,[1] the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] and Protocol 1 additional to the Geneva Conventions,

Having considered the reports of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories[3] and the relevant reports of the Secretary-General,[4]

Considering that the promotion of respect for the obligations arising from the Charter of the United Nations and other instruments and rules of international law is among the basic purposes and principles of the United Nations,

---

[1] See *Carnegie Endowment for International Peace, The Hague Conventions of 1899 and 1907* (New York, Oxford University Press, 1915).
[2] United Nations, *Treaty Series*, vol. 75, No. 973.
[3] A/58/311.
[4] A/58/155-156; A/58/263-264.

03-59592 (E) 051103

Noting the convening of the meeting of experts of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, at Geneva from 27 to 29 October 1998, at the initiative of the Government of Switzerland in its capacity as the depositary of the Convention, concerning problems of application of the Convention in general and, in particular, in occupied territories,

Noting also the convening for the first time, on 15 July 1999, of a Conference of High Contracting Parties to the Fourth Geneva Convention, as recommended by the General Assembly in its resolution ES-10/6 of 9 February 1999, on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with article 1 common to the four Geneva Conventions,[5] and aware of the statement adopted by the Conference,

Welcoming the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention on 5 December 2001 in Geneva and stressing the importance of the Declaration adopted by the Conference, and underlining the need for the parties to follow up on the implementation of the Declaration,

Welcoming and encouraging the initiatives by States parties to the Convention, both individually and collectively, according to article 1 common to the four Geneva Conventions, aimed at ensuring respect for the Convention,

Stressing that Israel, the occupying Power, should comply strictly with its obligations under international law, including international humanitarian law,

1. *Reaffirms* that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949,[2] is applicable to the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

2. *Demands* that Israel accept the de jure applicability of the Convention in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, and that it comply scrupulously with the provisions of the Convention;

3. *Calls upon* all High Contracting Parties to the Convention, in accordance with article 1 common to the four Geneva Conventions,[5] to continue to exert all efforts to ensure respect for its provisions by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

4. *Reiterates* the need for speedy implementation of the relevant recommendations contained in its resolutions of the tenth emergency special session with regard to ensuring respect by Israel, the occupying Power, for the provisions of the Convention;

5. *Requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution.

---

[5] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.